

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff	§	
	§	
v.	§	Civil Action No.
	§	
\$20,572.00 IN U.S. CURRENCY,	§	
Defendant in rem	§	

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against approximately \$20,572.00 in United States currency, Defendant in rem, and alleges the following statements.

Nature of the Action

1. This is an action to forfeit property to the United States pursuant to 31 U.S.C. §5317(c)(2).

Defendant in Rem

2. Defendant in rem is approximately \$20,572.00 in United States currency that were seized from Christian Spencer Pangan on August 31, 2011, at the George Bush Intercontinental Airport in Houston, Texas.

Jurisdiction and Venue

3. This Court has jurisdiction under 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court under 28 U.S.C. §§ 1355 and 1395(a) and (b) because:

- a. the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas,
- b. the property was found in the Southern District of Texas, and
- c. this forfeiture action accrued in the Southern District of Texas.

Basis for Forfeiture

5. The Defendant in rem is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2) which provides that any property involved in violations of 31 U.S.C. §§ 5316 and 5324(c) may be forfeited to the United States. These statutes state that:

- 1) a person shall file a report when the person knowingly transports, is about to transport, or has transported a monetary instrument of more than \$10,000 out of the United States. 31 U.S.C. § 5316(a)(1)(A);
- 2) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, fail to file a report required by 31 U.S.C. § 5316. 31 U.S.C. § 5324(c)(1);
- 3) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, file a report required by 31 U.S.C. § 5316 that contains a material omission or misstatement of fact. 31

U.S.C. § 5324(c)(2).

Facts

6. On August 31, 2011, Christian Spencer Pagan was preparing to leave the United States aboard a Singapore Airlines flight #61 to Singapore en route to the Republic of the Philippines at the George Bush Intercontinental Airport in Houston, Texas. In the jetway for this flight which contained posters advising passengers of the United States currency reporting requirements, United States Customs and Border Protection Officer (CBP Officer) Luis Cabral conducted a routine outbound Customs inspection. The Officer Cabral asked Mr. Pagan if he was transporting more than \$10,000 in any monetary instruments for himself or anyone else. Mr. Pagan stated “no.” He said that he was traveling with \$8,700.00. Officer Cabral gave Mr. Pagan a CBP form 503 which contained the currency reporting requirements. On that form, Mr. Pagan confirmed in writing that he was carrying only \$8,700.00.

7. Officer Cabral directed Mr. Pagan to another officer for verification of the funds that he was carrying. CBP Officer A. Hernandez III inspected Mr. Pagan’s carry on bag and found envelopes with \$20,572 in U.S. currency. CBP officers seized the funds forfeiture.

8. In an interview with Special Agent Donald T. Parkinson, Homeland

Security Investigations, Mr. Pagan said that he understood Officer Cabral's questions but that he wanted to keep quiet about what he had.

Relief Requested

9. Plaintiff requests (a) an arrest warrant and summons pursuant to Rule G, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, (b) a judgment of forfeiture, and (c) costs and other relief to which the Plaintiff may be entitled.

Date October 7, 2011.

Respectfully submitted,

Kenneth Magidson
United States Attorney


By: s/ Albert Ratliff
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Verification

I, Donald T. Parkinson, Special Agent, United States Homeland Security Investigations, declare under penalty of perjury as provided by 28 U.S.C. §1746

that I have read this Verified Complaint for Forfeiture in Rem, and the facts stated in this complaint are true and correct to the best of my knowledge and belief.

Executed on October 7, 2011.



Donald T. Parkinson, Special Agent
United States Homeland Security Investigations